

Inventor(s): BOUCHARD et al.  
 Appln. No.: 08 | 786,937  
 Series Code ↑ | Serial No. ↑

Group Art Unit 1654  
 Examiner: C. Delacroix-Muirheid  
 Atty. Dkt. P 235299 | 96/0018 PH  
 M# Client Ref  
 Appln. Title: LHRH-ANTAGONISTS IN THE  
 TREATMENT OF FERTILITY  
 DISORDERS

Filed: Jan 22, 1997

Hon. Commissioner of Patents  
Washington, D.C. 20231

Sir:

**REPLY/AMENDMENT/Letter**

JUN 05 2002

**RECEIVED**

JUN 06 2002

TECH CENTER 1600/290

This is a reply/amendment/letter in the above-identified application and includes the herewith attachment of same date and subject which is incorporated hereinto by reference and the signature below is treated as the signature to the attachment in absence of a signature thereto.

**FEE REQUIREMENTS FOR CLAIMS AS AMENDED**

1. Small Entity claim		
A. <input checked="" type="checkbox"/> NOT made	For B & C	
B. <input type="checkbox"/> Withdrawn	See Required	
C. <input type="checkbox"/> made herewith	Separate Paper	
D. <input type="checkbox"/> made previously	(Pat-256)	

	Claims remaining after amendment	Highest number previously paid for	Present Extra	Large/Small Entity	Additional Fee	Fee Code Lg/Sm
2. Total Effective Claims	21	**minus	21	0	x \$18/\$9 =	+ \$0 103/203
3. Independent Claims	3	***minus	3	0	x \$84/\$42 =	+ \$0 102/202
4. If amendment enters proper multiple dependent claim(s) into this application for first time (leave blank if this is a reissue application) .....				add	+ \$280/\$140 =	+ \$0 104/204
5. Original due Date: June 7, 2002	<input type="checkbox"/> NONE					
6. Petition is hereby made to extend the original due date to cover the date this response is filed for which the requisite fee is attached	(1 mo)	\$110/\$55 =				115/215
	(2 mos)	\$400/\$200 =				116/216
	(3 mos)	\$920/\$460 =				117/217
	(Usable only for ≤ 2mo.OA - - - 4 mos)	\$1,440/\$720=				118/218
	(Usable only for 30 day/1mo.OA - - - 5 mos)	\$1,960/\$980=				128/228
7. Enter any previous extension fee paid since above original due date and subtract			- \$0			
8.				Extension Fee	+ \$0	
9. If Terminal Disclaimer attached, add Rule 20(d) official fee .....				+ \$110/\$55	+ \$0	148/248
10. If IDS attached requires Official Fee under Rule 97 (c), .....	add	+ \$180				126
or if Rule 97(d) Request .....	add	+ \$180				126
11. After-Final Request Fee per rules 129(a) and 17(r) .....		+ \$740/370			+ \$0	146/246
12. No. of additional inventions for examination per Rule 129(b).....		x \$740/370 ea			+ \$0	149/249
13. Request for Continued Examination (RCE) .....		+ \$740/370			+ \$0	1179/1279
14. Petition fee for .....					+ \$0	
15.				TOTAL FEE =	\$0	

16. \*If the entry in this space is less than entry in next space, the "Present Extra" result is "0".

17. \*\*If the "Highest number previously paid for" in this space is less than 20, write "20" in this space.

18. \*\*\*If the "Highest number previously paid for" in this space is less than 3, write "3" in this space.

Our Deposit Account No. 03-3975)

(Our Order No. 98501 | 235299

C# | M#

PLEASE CHARGE  
OUR DEP. ACCT.

CHARGE STATEMENT: The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official Document under Rule 20, or credit any overpayment, to our Accounting/Order Nos. shown above, for which purpose a duplicate copy of this sheet is attached.

This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal sheet is filed.

Query: Is appeal deadline now? If so, file Notice of Appeals separately.

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Atty/Sec: BET/mll

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Intellectual Property Group

By Atty: Blair E. Taylor

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NOTE: File this cover sheet in duplicate with PTO receipt (PAT-103A) and attachments



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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H32

JUN 06 2002

TECH CENTER 1600/2900

In re PATENT APPLICATION of

BOUCHARD, et al.

Group Art Unit: 1654

Appln. No.: 08/786,937

Examiner: Delacroix-Muirheid

Filed: January 22, 1997

FOR: LHRH-ANTAGONISTS IN THE  
TREATMENT OF FERTILITY DISORDERS

\* \* \* \* \*

June 5, 2002

**RESPONSE**

Hon. Commissioner of Patents  
and Trademarks  
Washington, D.C. 20231

Sir:

Responsive to the Official Communication mailed May 7, 2002, kindly consider and enter the following remarks.

The Examiner states that the reply filed by Applicant on September 4, 2001 in response to the Office Action mailed October 24, 2000 was not fully responsive to the rejections set forth in said Office Action. Specifically, the Examiner states that Applicant did not address the statutory double patenting rejection issued under 35 U.S.C. § 101.

In the Office Action mailed October 24, 2000, the Examiner states that claims 21-22 of the instant application claim the same subject matter of claims 34-35 of U.S. Application Serial No. 09/053,152. Applicant traverses this rejection.

Claims 34-35 of Serial No. 09/053,152 were cancelled in Applicant's Amendment filed October 9, 2001. The features recited in claims 34-35 were

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incorporated into new claims 49-50, which are directed to a method of treating infertility disorders. Instant claims 21-22 recite a method of controlled ovarian stimulation. Thus, the statutory double patenting rejection has been rendered moot, as claims 49-50 of Serial No. 09/053,152 are not directed to the same subject matter as instant claims 21-22.

All objections and rejections having been addressed, it is submitted that the application is in condition for allowance, and Notice to that effect is respectfully requested. Should questions relating to patentability remain, the Examiner is invited to telephone the undersigned to discuss the same.

Respectfully submitted,

PILLSBURY WINTHROP LLP

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